

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Lorenzo Bernard Brown,)
)
Plaintiff,)
)
v.)
)
Patrick Michael Shanahan,)
Acting Secretary of Defense,)
)
Defendant.)

)

C/A No. 8:19-cv-210-TMC

ORDER

Patrick Michael Shanahan,)
Acting Secretary of Defense,)
)
Defendant.)

)

Plaintiff Lorenzo Bernard Brown, proceeding pro se, filed this action alleging employment discrimination claims pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (ECF No. 1). On March 29, 2019, Magistrate Judge Jacquelyn D. Austin issued a Report and Recommendation (“Report”) recommending that this action be transferred to the United States District Court for the Eastern District of Virginia. (ECF No. 15).¹ Plaintiff was advised of his right to file objections to the Report. *Id.* at 10. However, Plaintiff has not filed any objections to the Report, and the time for doing so has expired.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to

¹In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2), D.S.C., all pre-trial proceedings were referred to a magistrate judge.

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Furthermore, failure to file specific written objections to the Report results in a party’s waiver of the right to appeal the district court’s judgment based upon that recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

After a thorough review of the Report and the record in this case, the court adopts the Magistrate Judge’s Report (ECF No. 15) and incorporates it herein. Accordingly, this action is **TRANSFERRED** to the United States District Court for the Eastern District of Virginia.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

May 6, 2019
Anderson, South Carolina